

FAS

FILED
 UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF CALIFORNIA

CLERK, U.S. DISTRICT COURT
 SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 0025

UNITED STATES OF AMERICA,

Plaintiff,

v.

Artemio CEJA-Flores

Defendant.

BY: *[Signature]* Magistrate Case No. *[Signature]*

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section
 1324(a)(2)(B)(iii)-
 Bringing in Illegal Aliens
 Without Presentation (Felony)

The undersigned complainant being duly sworn states:

On or about **January 3, 2008** at the **San Ysidro** Port of Entry, within the Southern District of California, defendant **Artemio CEJA-Flores** with the intent to violate the immigration laws of the United States, knowingly and in reckless disregard of the fact that aliens, namely, **Maria Teresa FONSECA-Flores, Maricela ERAZO-Sandoval, Cluadia OROZCO-Lopez, and R.L.O.** had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien, and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

[Signature]
 Signature of Complainant
 Sara Esparagoza, United States Customs
 and Border Protection Enforcement Officer

Sworn to before me and subscribed in my presence, this **4th** day of **January 2008**.

[Signature]
 United States Magistrate Judge

CATHY ANN BENCIVENGO
U.S. MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

The complainant states that **Maria Teresa FONSECA-Flores, Maricela ERAZO-Sandoval, Claudia OROZCO-Lopez and R.L.O** are citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial by subpoena; and that they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On **January 3, 2008** at approximately 0520 hours, **Artemio CEJA-Flores (Defendant)** applied for admission into the United States from Mexico through the San Ysidro Port of Entry. Defendant was driving a green 1997 Nissan Altima bearing California license plates. Defendant presented himself before a Customs and Border Protection (CBP) Officer, presented a United States passport bearing the name Raul GONZALEZ and stated he was a United States citizen. Defendant stated he was not bringing anything back from Mexico. The primary officer conducted a cursory examination of the vehicle and discovered people concealed in the trunk. The vehicle and its occupants were escorted to secondary for further inspection.

In secondary four people were removed from within the trunk of the vehicle. The four concealed aliens were determined to be citizens of Mexico without entitlements or legal documents to enter the United States. They are now identified as Material Witnesses: **Maria Teresa FONSECA-Flores, Maricela ERAZO-Sandoval, Claudia OROZCO-Lopez and R.L.O.**

During a videotaped proceeding Defendant was advised of his Miranda rights, acknowledged his rights and elected to answer questions without an attorney present. Defendant admitted he was smuggling undocumented aliens into the United States. Defendant explained that he would not have to pay a smuggling fee of \$3000 USD in exchange for driving the vehicle. Defendant admitted he would contact the smuggler by phone once he entered the United States and give them the location of the vehicle. Defendant admitted making the smuggling arrangements with a smuggler named "El Valle".

Material Witnesses were interviewed and gave the following statements: Material Witnesses admitted all admitted they are citizens of Mexico with no entitlements or documents to enter the United States. Material Witnesses stated they intended on paying fees ranging from \$2700 to \$3500 USD to be smuggled into the United States. Material Witnesses stated they intended on traveling to California.